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10/580,515	10/30/2006	Bei Wang	CN020023	2067
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EXAMINER				
HOANG, SON T				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/580,515

Applicant(s)

WANG ET AL.

Examiner

SON T. HOANG

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-30 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 26-30 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 24 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 24 May 2006
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This communication is in response to the amendment filed on May 7, 2008.

The abstract, specification and drawings have been amended.

Claims 1-25 have been canceled.

Claims 26-30 are pending in this instant Office action.

Response to Arguments

2. Applicant's arguments with respect to **claims 26-30** have been considered but are moot in view of the new ground(s) of rejection.

Oath/Declaration

3. The Applicant's oath/declaration has been reviewed by the Examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

Information Disclosure Statement

4. As required by **M.P.E.P. 609(C)**, the Applicant's submission of the Information Disclosure Statement dated May 24, 2006 is acknowledged by the Examiner and all cited documents have been reviewed. As required by **M.P.E.P. 609 C(2)**, a copy of the PTOL-1449 initialed and dated by the Examiner is attached to the instant Office action.

Priority

5. The Applicant's claim for foreign priority of Chinese Patent Application No. 02156141.9 (filed on December 12, 2002) is acknowledged. The Examiner takes the earliest filing date of December 12, 2002 into consideration.

Disclosure

6. The amended abstract, specification, and drawings are accepted for examination purposes.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the Examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
9. **Claims 26-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al. (*Pub. No. US 2002/0154893, filed on April 12, 2002; hereinafter Tanaka*) in view of Lennon et al. (*Pub. No. US 2002/0107973, filed on November 13, 2001; hereinafter Lennon*).

Regarding **claim 26**, Tanaka clearly shows and discloses an optical storage medium for storing data for access by a data processing system, said optical storage medium including a generic logic format having a data structure in which the data contents stored on the optical storage medium include different data types, wherein said optical storage medium comprises a physical layer directly linked to a physical character of the optical storage medium, and an application layer, separate from said physical layer (*Figures 14-15*), said application layer comprising:

at least one content object file containing data contents of a particular data type (*Figure 6A shows a pack format used for recording the DVD-video data on the DVD. Figure 6B is a pack format used for recording the DVD-audio data on the DVD. The DVD-audio data format of Figure 6B is compatible with the DVD-video data format of Figure 6A, although they use different area names, [0051]*);

at least one object definition file associated with the content object file, the at least one object definition file describing the data type in said at least one content object file (*the DVD-video data format of Figure 6A comprises a VMG (i.e., video manager) area at a head thereof and a plurality of VTS (i.e., video title set) areas succeeding the VMG area. On the other hand, the DVD-audio data format of Figure 6B comprises an AMG (i.e., audio manager) area at a head thereof and a plurality of AAS (i.e., audio album set) areas succeeding the AMG area, as counterparts of the VMG and VTS area of the DVD-video data format, [0051]*); and

an index file including a table of contents having a reference to the at least one content object file (*Each ACB (i.e., one album) area consists of a plurality of tracks. The track includes PTA (i.e., part of album). Each track consists of a plurality of indexes corresponding to the cells of the chapter. Each index consists of a plurality of ACBU (i.e., ACB unit). Each ACBU consists of a plurality of packs. Each pack is 2,048 bytes. Each ACBU comprises an A-CONT (i.e., audio control) pack positioned at a head thereof This A-CONT is a counterpart of the CONT pack of the VCBU. A plurality of A (i.e., audio) packs, as well as V (i.e., video) and SP (i.e., sub picture) packs if necessary, succeed the A-CONT pack, [0054]. Note that by definition, index is something that serves to guide, point out, or otherwise facilitates reference such as a table, file, catalog, [http://www.thefreedictionary.com]).*

Lennon discloses:

the object definition file being written in a meta language (*see XML code in [0099]*),

the index file being written in a meta language (*see XML codes in [0185]*).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Lennon with the teachings of Tanaka for the purpose of forming a table of contents for a particular user preferably based upon media reproduction attributes by facilitating a metadata server associated with each of the media collections ([Abstract] of Lennon).

Regarding **claim 27**, Lennon further discloses the meta-language includes one of the following: Extensible Markup Language (XML), Synchronized Multimedia Integrated Language (SMIL), and a custom-defined meta-language ([0099]).

10. **Claims 28-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al. (*Pub. No. US 2002/0154893, filed on April 12, 2002; hereinafter Tanaka*) in view of Lennon et al. (*Pub. No. US 2002/0107973, filed on November 13, 2001; hereinafter Lennon*), and further in view of Stumphauzer, II (*Pub. No. US 2003/0014767, filed on July 9, 2001; hereinafter Stumphauzer*).

Regarding **claim 28**, Lennon further discloses the application layer further comprises a plurality of content objects file each containing a different data type (*Figure 6A shows a pack format used for recording the DVD-video data on the DVD. Figure 6B is a pack format used for recording the DVD-audio data on the DVD. The DVD-audio data format of Figure 6B is compatible with the DVD-video data format of Figure 6A, although they use different area names, [0051]*), a corresponding plurality of object definition files each defining the data type in the corresponding content object file (*the DVD-video data format of Figure 6A comprises a VMG (i.e., video manager) area at a head thereof and a plurality of VTS (i.e., video title set) areas succeeding the VMG area. On the other hand, the DVD-audio data format of Figure 6B comprises an AMG (i.e., audio manager) area at a head thereof and a plurality of AAS (i.e., audio album set) areas succeeding the AMG area, as counterparts of the VMG and VTS area of the DVD-video data format, [0051]*).

Tanaka, as modified by Lennon, does not explicitly disclose a presentation file, the presentation file including presentation definitions of the content object files to be played.

Stumphauzer discloses a personalized playlist can be downloaded from the website onto a portable storage medium. Examples of portable storage media include, but are not limited to, smartcards, flash cards, memory sticks, floppy disks, zip disks, compact disks, PCMCIA card, personal data assistant, mobile phone, or any other media capable of retaining the playlist ([0033]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Stumphauzer with the teachings of Tanaka, as modified by Lennon, for the purpose of automatically playing programming selections corresponding to the user's preferences using a personalized playlist ([Abstract] of Stumphauzer).

Regarding **claim 29**, Tanaka further discloses the application layer further comprises a file system (*Figures 6A & 6B*).

Regarding **claim 30**, Lennon further discloses the playlist definition file is written in a meta language (*Figure 8 shows that the value of the VideoScene descriptor is the markup that is contained within the start and end tags of the descriptor. The name of the descriptor is the tag name (ie. VideoScene). Similarly the value of the Clip complex descriptor is that markup contained between the start and end tags of the Clip descriptor. The Clip descriptor value contains two simple descriptors, Date and Location. The value of the Location descriptor is the*

text contained between the start and end Location tags (ie. Sydney, Australia),
[0083]).

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

12. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday – Friday (7:00 AM – 4:00 PM).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christian Chace can be reached on (571) 272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2165

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son T Hoang/
Examiner, Art Unit 2165
August 7, 2008

/S. P./

Primary Examiner, Art Unit 2164

/Christian P. Chace/

Supervisory Patent Examiner, Art Unit 2165